**In the High Court of Justice, Family Division**



**No: [*Case number*]**

**The Child Abduction and Custody Act 1985 incorporating the 1980 Hague Convention on the Civil Aspects of International Child Abduction] /**

**[The Senior Courts Act 1981] /**

**[Council Regulation (EC) No. 2201/2003] /**

**[The 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition and Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children]**

**The child[ren]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

After hearing [*name the advocate(s) who appeared*]

Upon the applicant’s application for permission to issue a writ of sequestration pursuant to RSC Order 46

After consideration of the documents lodged by the applicant

After reading the statements and hearing the witnesses specified in paragraph [*para number*] of the Recitals below

And upon the court sitting in [public] / [private]

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

**The parties**

1. The applicant is [*applicant name*]

The respondent is [*respondent name*]

**(Specify any additional respondents)**

**(Specify if any adult party acts by a litigation friend)**

**(Specify if the children or any of them act by a children’s guardian)**

1. Unless otherwise stated, a reference in this order to ‘the respondent’ means all of the respondents.

**Definitions**

1. A respondent who is an individual who is ordered not to do something must not do it [himself] / [herself] or in any other way. [He] / [She] must not do it through others acting on [his] / [her] behalf or on [his] / [her] instructions or with [his] / [her] encouragement.
2. A respondent which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

**Recitals (delete as appropriate)**

1. This order was made at a hearing [on notice] / [without notice] to the respondent. The reason why the order was made without notice to the respondent is because:
   1. [*Insert*]
2. The judge read the following documents:
   1. [*Insert*]
3. The judge heard the following oral evidence
   1. [*Insert*]
4. The court was satisfied that:
   1. On [*date*] [*name of judge*] made an order requiring the respondent [*respondent name*] to [*insert terms of order*]; and
   2. That order was [served on] / [brought to the attention of] the respondent [*respondent name*] and [*respondent name*] has knowledge of the requirement imposed upon [him] / [her] by that order; and
   3. [*respondent name*] has breached the terms of that order by [*insert findings of breach*], and
   4. [*respondent name*] is thereby in contempt of court.

**Undertakings to the court by the applicant or by the solicitors for the applicant**

1. The [applicant] / [solicitors for the applicant] undertake:
   1. [*Insert any relevant undertakings*]

**IT IS ORDERED THAT:**

**(delete as appropriate)**

1. The applicant is granted permission to issue a writ of sequestration in respect of the property of the respondent.
2. [*Insert any provisions as to service of the writ*]
3. The sequestrators do have permission to sell the properties known as:
   1. [*address*]
   2. [*address*]
4. The sequestrators do have permission to apply any funds obtained pursuant to the sequestration to:

**(delete or amend as appropriate)**

* 1. payment of private investigators fees in connection with the tracing of the child[ren];
  2. payment of legal fees in respect of any proceedings in any other jurisdiction other than England & Wales in connection with the tracing and recovery of the child[ren],
  3. in respect of payment of the applicant’s costs in connection with the principal application and this application.

Provided that in the event that the total sums expended in connection with the above exceed £[*amount*] the sequestrators shall seek further permission from this court before releasing any further funds.

1. A transcript of the judgment given today and of counsel’s submissions shall be prepared on an urgent basis at public expense.
2. [The respondent shall pay the applicant’s costs of and occasioned by this application, to be assessed on the indemnity basis, subject to detailed assessment if not agreed.] / [There shall be detailed legal aid assessment of the [applicant] / [respondent]’s costs.]

Dated [*date*]

**Notice pursuant to PD 37A para 2.1**

You [*applicant name*] may be sent to prison for contempt of court if you break the promise that have been given to the court

**Statement pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

[*applicant name*] [signed on [his] / [her] behalf by [*applicant firm name*]]

**Notice pursuant to PD 37A para 2.1**

You [*applicant solicitor name*] may be fined or sent to prison for contempt of court if you break the promise that have been given to the court

**Statement pursuant to PD 37A para 2.1(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be fined or sent to prison for contempt of court

[*applicant solicitor name*] [on behalf of [*applicant firm name*]]

**Communications with the court**

All communications to the court about this order should be sent to:

[*Insert the address and telephone number of the appropriate Court Office*]

If the order is made at the Royal Courts of Justice, communications should be addressed as follows:

The Clerk of the Rules, Queen's Building, Royal Courts of Justice, Strand, London WC2A 2LL, United Kingdom, quoting the case number. The telephone number is 00 44 20 7947 6543.

The offices are open between 10.00am and 4.30pm Monday to Friday.

Name and address of applicant's legal representatives

The applicant's legal representatives are:

[*Name, address, reference, fax and telephone numbers (both in and out of office hours) and email*]